

APPEAL NO. 021322
FILED JULY 10, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 17, 2002. The hearing officer determined that the respondent (claimant's) compensable head and neck injury of _____, includes his right shoulder. The appellant (carrier) appealed, arguing that the hearing officer's extent-of-injury determination is against the great weight and preponderance of the evidence. The claimant responded, essentially urging affirmance.

DECISION

Affirmed.

The issue before the hearing officer regarded the extent of the compensable injury. Conflicting evidence was presented regarding the extent of the compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. We have held that the question of the extent of injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. The hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **REPUBLIC UNDERWRITERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MICHAEL E. DITTO
CORPORATE SECRETARY
2727 TURTLE CREEK BLVD.
DALLAS, TEXAS 75219-4801.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Philip F. O'Neill
Appeals Judge